

REMARKS

The Office Action mailed December 24, 2009, has been received and the Examiner's comments carefully reviewed. In the present response, claims 1-14 and 23 are amended, with support for these amendments found at least in paragraphs 021-022 and in FIGURES 1 and 2. Claim 15 has been canceled. No new matter has been added, and claims 1-23 remain pending. Favorable reconsideration of this application is requested in view of the following remarks.

Claim Rejections - 35 USC § 112

In the Office Action, claims 1-23, second paragraph, have been rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully traverse this rejection.

The Office Action indicates that claims 1-11 are unclear because "the body of the claim does not contain any limitations indicating the structure of the device." *Office Action*, p. 3. Applicants have amended claims 1-11 to more specifically recite the structure of the claimed invention. Claim 1, as amended, recites a computer data memory on which each of the claimed modules is store, and a computing system that executes the modules stored on the computer data memory. Therefore, claims 1-11 now include sufficient structure to provide limitations as to the claim. In view of these amendments to at least claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-11.

The Office Action also indicates that claims 12-23 are unclear as to "how the computer implemented method having a computing system carries out the transformation central to the operation of the claim. It is vague and indefinite how such steps are being performed without being tied to a machine." *Office Action*, p. 3. Applicants have amended claims 12-23 to identify the structure of the claimed invention and how the claimed methods interact with such structure. For example, claim 12, as amended, includes receiving information via an electronic network coupling, retrieving risk-related data from a knowledge data memory, that the computing system processes the received data and the risk-related data, and transmitting the recommended guidelines via that electronic network coupling. Therefore, claims 12-23 now include sufficient

structure to provide limitations as to the claim. In view of these amendments to at least claim 12, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 12-23.

Claim Rejections - 35 USC § 101

In the Office Action, claims 1-23 have been rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicants respectfully traverse this rejection. Although Applicants do not accede to the correctness of the rejection, Applicants assert that the amendments described above (with respect to the rejections under 35 U.S.C. § 112) render each of claims 1 and 12 (and therefore the claims depending therefrom) statutory, and respectfully request reconsideration and withdrawal of the rejection of these claims.

Claim Rejections - 35 USC § 103

In the Office Action, claims 1-23, have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lawrence (U.S. Patent No. 7,181,428, hereinafter "*Lawrence '428'*"), in view of Lawrence (U.S. Publication No. 2003/0177087, "*Lawrence '087'*") in further view of Bosworth-Davies et al., (U.S. Publication No. 2003/0033228, hereinafter "*Davies'*"). Applicants respectfully traverse this rejection.

A. Claims 1-11

Claim 1, as amended, requires:

...a policy builder module stored on the computer data memory, wherein when executed by the computing system, the policy builder module configures the computing system to recommend possible electronic and manual countermeasures to the risks identified by the risk assessor module and to enable the authorized user to select the countermeasures of his choice in order to create a policy for the branch of the financial institution

The Examiner contends that this limitation is taught by *Lawrence* at column 2, lines 40-42 and column 3, lines 3-12. However, each of these selected citations, and the remaining disclosure of *Lawrence* only teaches how suggested actions will be presented for reducing the risk associated with an individual account associated with the politically exposed person. There is no teaching or even a suggestion that the process disclosed in *Lawrence* is used to create a policy to be used by the branch of the financial institution, as required by claim 1. The common meaning of the term "policy," as applied in the context relevant to the present application, means a rule or set of rules that is applied over a broad environment. In fact, the Specification at paragraph [0012]

clearly indicates this definition when discussing the benefits of applying a consistent implementation of “the policy throughout the branch of the financial institution.” As such, *Lawrence* does not teach or even suggest this limitation.

The Examiner offers both *Lawrence '087* and *Davies* to teach other limitations of claim 1 that the Examiner admits are not present in *Lawrence*. *Lawrence '087* discusses a transaction surveillance system that can be used broadly across a financial institution, but it specifically teaches that the system is used for each transaction and provides any suggested actions in response to those transactions. *See e.g.*, paras. [0063]-[0069]. *Davies* also does not teach a policy builder module that enables the authorized users to select particular countermeasures in order to create a policy for the branch of the financial institution. Thus, the combination of *Lawrence*, *Lawrence '087*, and *Davies* fails to teach or even suggest each and every limitation of claim 1. Accordingly, claim 1 is allowable for at least the reasons discussed above. Applicant, therefore, respectfully requests that the rejection of claim 1 be withdrawn.

Claims 2-11 depend from claim 1 and, thus, inherit all of the limitations of claim 1. Accordingly, claims 2-11 are also allowable for at least the reasons discussed above. Applicant, therefore, respectfully requests that the rejections of claims 2-11 also be withdrawn.

B. Claims 12-23

Claim 12, as amended, requires, “...transmitting recommended possible electronic and manual countermeasures to the identified risk dimensions to enable an authorized user to select the countermeasures of his choice in order to create a policy for the branch of the financial institution.” As noted above, the combination of *Lawrence*, *Lawrence '087*, and *Davies* fails to teach or even suggest this limitation. Accordingly, claim 12 is allowable for at least the reasons discussed above. Applicant, therefore, respectfully requests that the rejection of claim 12 be withdrawn.

Claims 13, 14, and 16-23 depend from claim 12 and, thus, inherit all of the limitations of claim 12. Accordingly, claims 13, 14, and 16-23 are also allowable for at least the reasons discussed above. Applicant, therefore, respectfully requests that the rejections of claims 13, 14, and 16-23 also be withdrawn.

CONCLUSION

In light of the above discussion it is respectfully submitted that each of the presently pending claims is in condition for allowance and notification to that effect is requested. Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicant reserves the right to raise these arguments in the future. The Examiner is invited to contact Applicant's representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby.

Respectfully Submitted,

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